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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,506	03/17/2004	Subramanian Bhaskaran	C-7230	8914
23631 7590 04/17/2008 JAMES J. MULLEN M. SUSAN SPIERING CELANESE LTD. IP LEGAL DEPT. , IZIP 701 P.O. BOX 428, HWY 77 S BISHOP, TX 78343				
EXAMINER				
PUTTLITZ, KARL J				
ART UNIT		PAPER NUMBER		
1621				
MAIL DATE		DELIVERY MODE		
04/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,506

Applicant(s)

BHASKARAN ET AL.

Examiner

KARL J. PUTTLITZ

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-11 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-11 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The prior art rejection is maintained and repeated below. Applicant's remarks in connection with this ground of rejection are also addressed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-11 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 2001/90042, as evidenced by counterpart U.S. Patent No. 6,790,983 to Zeyss et al., of record (Zeyss) in view of *Kirk-Othmer Encyclopedia of Chemical Technology* Copyright © 2002 Article Online Posting Date: July 19, 2002 pp. 115-136, of record, (Kirk Othmer), or Wansborough, *MUTECH Chemical Engineering Journal* (1965), No. 11, 61-7 (Wansborough).

Zeyss teaches an integrated process for the production of vinyl acetate which comprises the steps:

(a) contacting in a first reaction zone a gaseous feedstock comprising essentially ethane with a molecular oxygen-containing gas in the presence of a catalyst to produce a first product stream comprising acetic acid and ethylene;

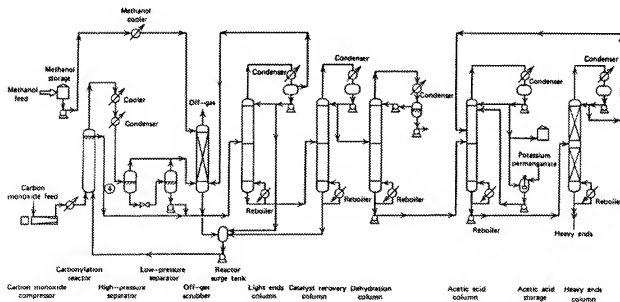
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(b) contacting in a second reaction zone the first gaseous product stream with a molecular oxygen-containing gas in the presence of a catalyst to produce a second product stream comprising vinyl acetate;

(c) separating the product stream from step (b) and recovering vinyl acetate from said product stream from step (b). See column 2, lines 15-27.

The claims also teach the use of a stem condensate line, which is not explicitly taught by Zeyss.

Kirk Othmer teaches a carbonylation process for preparing acetic acid, including a steam condensate and flash distillation:



See pages 123-125.

Moreover, Wansborough teaches that steam condensate lines are routine in heat transfer systems, see attached CAS online citation, 65:79898 [retrieved 17 August 2007] from STN, Columbus, OH, USA.

Therefore the use of steam condensate lines would have been obvious for the purpose of heat transfer since Kirk Othmer and Wansborough teach that these are common and predictable means for heat transfer, which would be appropriate for the integrated process on Zeyss. Therefore, the rejected claims are prima facie obvious in view of the combination of Zeyss and Kirk Othmer or Wansborough since the combination of these references teaches or suggest the elements of the rejected claims.

Those of ordinary skill would expect that at least a portion of the heat in the steam condensate line of Kirk Othmer would be introduced in the VAM purification. In this regard, Applicant's remarks do not indicate that any heat in the steam condensate line of Kirk Othmer does not go to the VAM purification system. Accordingly, the claims remain prima facie obvious in view of the applied references.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl J. Puttlitz whose telephone number is (571) 272-0645. The examiner can normally be reached on Monday to Friday from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, can be reached at telephone number (571) 272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Karl J. Puttlitz/

Primary Examiner, Art Unit 1621